

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of Brian A. Rosenfeld, M.D. and Michael Breslow

Serial No.: Not Yet Issued

Group Art. Unit:

Filed: HERewith

Examiner:

FOR: **SYSTEM AND METHOD FOR PROVIDING CONTINUOUS, EXPERT NETWORK  
CRITICAL CARE SERVICES FROM A REMOTE LOCATION(S).**

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As below inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **SYSTEM AND METHOD FOR PROVIDING CONTINUOUS, EXPERT NETWORK CRITICAL CARE SERVICES FROM A REMOTE LOCATION(S)**, the specification of which is attached hereto.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

We hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Jon L. Roberts  
Registration No. 31,293  
• John K. Abokhair, Esq.  
Registration No. 30,537  
Kevin L. Pontius  
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09443072-11899

We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of inventor Brian A. Rosenfeld, M.D.

Inventor's Signature [Signature]

Date 11/16/99

Residence

5 Tall Tree Ct, Baltimore, MD 21208

Post Office Address:

Citizenship

U.S.A.

Full name of inventor Michael Breslow

Inventor's Signature [Signature]

Date 11/16/99

Residence

7 Broadridge Lane, Lutherville, MD 21093

Post Office Address:

Citizenship

U.S.A.

09443072-111899

# **VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS** **(37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN**

Docket Number (Optional)

Applicant or Patentee: Brian A. Rosenfeld, M.D. and Michael Breslow  
 Serial or Patent No.: Not Yet Issued  
 Filed or Issued: Herewith  
 Title: System and Method For Providing Continuous, Expert Network Critical Care Services  
From A Remote Location

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN ICUSA

ADDRESS OF SMALL BUSINESS CONCERN 2400 Boston Street, Suite 302, Baltimore, MD 21224

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern or organization exists.  
☒ each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlements to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.289(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Robert Pfotenbauer

TITLE OF PERSON IF OTHER THAN OWNER CEO

ADDRESS OF PERSON SIGNING 2400 Boston Street, Suite 302, Baltimore, MD 21224

SIGNATURE Robert Pfotenbauer

DATE 11/16/99

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(b))—INDEPENDENT INVENTOR**

Docket Number (Optional)

Applicant or Patentee: Brian A. Rosenfeld, M.D. and Michael BreslowSerial or Patent No.: Not Yet IssuedFiled or Issued: HerewithTitle: System and Method for Providing Continuous, Expert Network Critical Care  
Services From A Remote Location(s)

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under convey or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that had made the invention, or to any concern which would not qualify as a business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(c).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ No such person, concern, or organization exists.  
☒ Each such person, concern or organization is listed below.

ICSUA

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 128(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made an information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Brian A. Rosenfeld, M.D.

NAME OF INVENTOR

Signature of inventor

Date

Michael Breslow

NAME OF INVENTOR

Signature of inventor

Date

NAME OF INVENTOR

Signature of inventor

Date

0544307-11393